

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

APPROXIMATELY \$42,800.00 IN U.S.
CURRENCY,
Defendant.

No. 1:20-cv-00727-DAD-EPG

ORDER GRANTING PLAINTIFF'S MOTION
TO DISMISS CLAIMANT SENSAVANG'S
CLAIM

(Doc. No. 40)

This matter is before the court on plaintiff's motion for dismissal of *pro se*¹ claimant Meekeo Vue Sengsavang's claim in this civil action *in rem* for forfeiture of approximately \$42,800.00 in U.S. Currency (hereafter "defendant currency"). (Doc. No. 40.) Pursuant to General Order No. 617 addressing the public health emergency posed by the COVID-19 pandemic, on March 24, 2022, plaintiff's motion was taken under submission on the papers. (Doc. No. 41.) Because claimant Sengsavang did not file an opposition, or a statement of non-opposition, to the pending motion as required by the Local Rules, on May 5, 2022, the court

¹ Claimant Sengsavang was represented by counsel when she filed her answer and her claim in this case, but her attorney moved to withdraw as counsel of record because "the claimant and counsel have suffered a breakdown in communication so significant that it is unreasonably difficult for counsel to provide adequate representation from this point forward." (Doc. No. 27-1 at 2.) On September 13, 2021, the court granted that motion to withdraw as counsel of record. (Doc. No. 33)

1 ordered her to do so no later than May 27, 2022. (Doc. No. 43.) In that order, claimant
2 Sengsavang was “warned that failure to comply with this court’s order may result in a dismissal
3 of her claim.” (*Id.*) To date, plaintiff has not complied with the court’s order or otherwise
4 communicated with the court.

5 This is not the first time that claimant Sengsavang has failed to comply with a court order
6 in this action. Plaintiff’s motion to dismiss claimant Sengsavang’s claim is based on her repeated
7 failure to obey court orders, including orders requiring her to respond to discovery requests and
8 orders requiring her appearance before the court. (Doc. No. 40-1 at 1–2.) Specifically, claimant
9 Sengsavang was ordered to appear before the court for a hearing on September 13, 2021 and for a
10 status conference on October 18, 2021, and she failed to appear both times. (*See* Doc. Nos. 29,
11 33, 36.) In addition, claimant Sengsavang has failed to respond to plaintiff’s special
12 interrogatories and requests for production, despite the court’s order directing that she do so and
13 the court’s warning that her “failure to comply with this order may result in the imposition of
14 additional sanctions, including the exclusion of evidence, striking of her answer, and entry of
15 judgment against her.” (Doc. No. 39.) It appears that claimant Sengsavang has abandoned her
16 claim in this *in rem* action.

17 Accordingly, plaintiff’s motion to dismiss claimant Sengsavang’s claim (Doc. No. 40) is
18 hereby granted.

19 The Clerk of the Court is directed to update the docket to reflect that claimant Meekeo
20 Vue Sengsavang has been terminated as a claimant in this action.

21 IT IS SO ORDERED.

22 Dated: **June 21, 2022**

23 
UNITED STATES DISTRICT JUDGE